

MINUTES OF
EUREKA CITY COUNCIL
EUREKA REDEVELOPMENT AGENCY

AUGUST 15, 2006

The City Council/Redevelopment Agency of the City of Eureka met in REGULAR Session on the above date, 5:30 p.m. Closed Session, 6:30 p.m. Open Session, at the Eureka City Hall, Council Chambers, 531 "K" Street, Eureka.

PRESIDING: MAYOR LA VALLEE

PRESENT: WOLFORD, LEONARD, KERRIGAN, JONES

ABSENT: BASS

MINUTES PREPARED BY:

COUNCIL APPROVAL ACKNOWLEDGED:

Kathleen L. Franco Simmons
City Clerk

Peter La Vallee
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Public comment prior to closed session

ACTION:

No one expressed an interest in addressing the Council at this time.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on August 16, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Closed session

ACTION:

Council met in closed session to discuss the following matters:

B. PUBLIC EMPLOYMENT

Title: City Attorney

Pursuant to California Government Code Section 54957

C. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation: one case.

Pursuant to California Government Code Section 54956.9(b)

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: City-owned property west of Dock B; APN 003-062-021

Agency negotiator: David Tyson for the City of Eureka

Negotiating parties: Bill Wing for Wing Inflatables, Inc.

Under negotiation: price, terms, and conditions.

Pursuant to California Government Code Section 54956.8

E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 815 Pine Hill Road; APN 302-151-011

Agency negotiator: David Tyson for the City of Eureka

Negotiating parties: Karl Arnold

Under negotiation: price, terms, and conditions.

Pursuant to California Government Code Section 54956.8

Upon reconvening to Open Session, it was announced that there was no action to be reported.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MINUTE ORDER, AUGUST 15, 2006
ITEM: Closed Session
PAGE: 2

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item CS

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Invocation

ACTION:

The invocation was given by Chuck Starnes, Centerpoint Church.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Mayor's announcements

ACTION:

Mayor La Vallee made an announcement regarding a reception for a visiting delegation from Eureka Sister City, Kamisu, Japan in October.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item M/A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Council reports

ACTION:

Councilmember Leonard gave a report regarding the Sequoia Park Zoo Foundation and a master plan meeting to be held September 9.

Councilmember Kerrigan provided a report regarding the Adopt-a-Park clean-up day at Hammond Park last Saturday.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item C/R

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Public comment period

ACTION:

The following individuals addressed the council at this time:

Jerry Droz, proposed rules for subsidized housing, parking restrictions, installation of parking meters or signs near Starbucks, relocation of the mission, and zoning regulations.

Moss Bittner, spoke regarding the importance of adhering to goals set by the council.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item 1

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Claim for damages of Carter, Mary Ann.

ACTION:

Council rejected the claim of Carter, Mary Ann.

Adopted on motion by Councilmember JONES, seconded by Councilmember KERRIGAN,
and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: BASS
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Attorney

Agenda Item 2

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Request for exception to the hiring freeze – Maintenance Worker I/II.

ACTION:

Council approved the exception to the hiring freeze for the Maintenance Worker I/II position (Wastewater Fund).

Adopted on motion by Councilmember JONES, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: BASS
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Personnel Director

Agenda Item 3

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Request for exception to the hiring freeze – Maintenance Worker I/II.

ACTION:

Council approved the exception to the hiring freeze for the Maintenance Worker I/II position (Water Distribution Fund).

Adopted on motion by Councilmember JONES, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: BASS
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Personnel Director

Agenda Item 4

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Purchase of One ¾ Ton Pick Up Truck with Lift Gate – Bid No. 2007-2

ACTION:

Council awarded Bid No. 2007-2 to lowest responsive bidder, Harper Ford Country, in the amount of \$28,331.14.

Adopted on motion by Councilmember JONES, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: BASS
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Assistant City Manager-Operations

Agenda Item 5

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Wastewater Treatment Plant Re-roof – Bid No. 2006-4

ACTION:

Council accepted Bid No. 2006-4, Wastewater Treatment Plant Re-roof contract as complete, and authorize the filing of a Notice of Completion in the Office of the Humboldt County Recorder.

Adopted on motion by Councilmember JONES, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES

NOES: NONE

ABSENT: BASS

ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Assistant City Manager-Operations

Agenda Item 6

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Maintenance Dredging Contract

ACTION:

Council authorized the City Manager to execute a contract with Roy D. Garren Inc. for maintenance dredging of the Eureka Public Marina and nine dredge locations on the Inner Reach in the amount of \$1,219,318; approved a 10% contingency in the amount of \$121,931; and approved an appropriation of \$286,000 from the Small Boat Basin Reserve fund leaving a reserve fund balance of \$565,687.

Adopted on motion by Councilmember JONES, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: BASS
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Assistant City Manager-Operations

Agenda Item 7

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Sequoia Park Zoo Vet Center & Shift Cage Bid No. 2006-32

ACTION:

Assistant City Manager-Operations Mike Knight and Zoo Manager Gretchen Ziegler provided a report. No individuals expressed an interest in addressing the council regarding this subject matter.

Council awarded Bid No. 2006-32 to lowest responsive bidder, Pierson Company, in an amount of \$432,545; approved a supplemental appropriation in the amount of \$53,000 from the 2002 Resources Bond Act funds; and directed staff to consider possible design modifications that could save some of these dollars.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: BASS
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Assistant City Manager-Operations

Agenda Item 8

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: City Hall 1st floor doors & finish hardware – Bid No. 2007-4

ACTION:

Council awarded Bid No. 2007-4, to lowest bidder, Capitol Builders Hardware, Inc., in an amount of \$24,168.

Adopted on motion by Councilmember JONES, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: BASS
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Assistant City Manager – Operations

Agenda Item 9

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Humboldt Office of Education Building Trades Class Construction of City Classroom.

ACTION:

Council authorized the execution of a contract with the Humboldt County Office of Education for the construction of a classroom facility at the COE Harris and K Street Water Tank property; and appropriated the funds necessary to construct Phase 1 of the facility in an amount not to exceed \$50,000.

Adopted on motion by Councilmember JONES, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES

NOES: NONE

ABSENT: BASS

ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Fire Chief

Agenda Item 10

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Exclusive right to negotiate – extension request from Humboldt County
Office of Education – 7th Street Villa

ACTION:

Council authorized 180-day Exclusive Right to Negotiate (ERTN) Agreement extension between the Eureka Redevelopment Agency and Humboldt Office of Education (HCOE) for the sale and development of Redevelopment Agency owned property at 7th and Myrtle Avenue (APN 001-253-010 & 012).

Adopted on motion by Councilmember JONES, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES

NOES: NONE

ABSENT: BASS

ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Redevelopment Director

Agenda Item 11

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: St. Bernard's "C" Street closure.

ACTION:

City Manager David Tyson provided a report. No individuals expressed an interest in addressing the council regarding this subject matter.

Council authorized the temporary street closure on "C" Street between Henderson and Dollison Streets.

Adopted on motion by Councilmember KERRIGAN, seconded by Councilmember JONES, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: BASS
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Manager

Agenda Item 12

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: General Plan Petition for property at 730 "H" Street; APN 001-155-003
(Case No. GPP-06-002).

ACTION:

Community Development Director Kevin Hamblin and Senior Planner Sidnie Olson provided a report. No individuals expressed an interest in addressing the council regarding this subject matter.

Council accepted the general plan petition request and authorized the applicant to submit an application for a General Plan amendment.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember LEONARD, and the following vote:

AYES: WOLFORD, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: BASS
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Community Development Director

Agenda Item 13

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Transportation management sub-committee request.

ACTION:

Councilmember Leonard sponsored a report by Moss Bittner regarding the concept of a waterfront trolley. The following individuals addressed the council regarding this subject matter:

Larry Glass

Richard Tollison

No formal action was taken.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Councilmember Leonard

Agenda Item 14

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: City Manager/Executive Director's reports

ACTION:

City Manager Tyson provided information regarding the following:

- League of California Cities Annual Conference
- Zoo Accreditation
- Maintenance dredging project – expressed appreciation to Mike Knight and staff
- fire training facility project

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Manager

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of August 15, 2006.

SUBJECT: Adjournment

ACTION:

On motion by Councilmember KERRIGAN, seconded by Councilmember WOLFORD, and without objection, the meeting was adjourned at 7:40 p.m.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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CITY CLERK